

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE BIT DIGITAL, INC., SECURITIES
LITIGATION

Case No. 1:21-cv-00515-ALC

LEAD PLAINTIFF'S NOTICE OF MOTION AND MOTION TO STRIKE

PLEASE TAKE NOTICE that Lead Plaintiff Joseph Franklin Monkam Nitcheu ("Lead Plaintiff") will move this Court before the Honorable Andrew L. Carter, Jr. at the United States District Court for the Southern District of New York, at United States Courthouse, 40 Foley Square, New York, New York 10007, at a date and time to be set by the Court, for an order striking: (i) the disputed exhibits – Exhibits A-D attached to the Declaration of Stuart Kagen in support of Defendant's motion to dismiss reply brief (ECF No. 51); and (ii) all references to, and assertions and arguments based on, the disputed exhibits in Defendants' reply brief in support of their motion to dismiss (ECF No. 50), and granting such other relief as the Court deems just and proper.

This motion is based upon the accompanying memorandum of law and a [Proposed] Order (attached hereto).

March 4, 2022

Respectfully submitted,

/s/ Jacob A. Walker

Jacob A. Walker, *pro hac vice*

Jeffrey C. Block, *pro hac vice*

Nathaniel Silver

Block & Leviton LLP

260 Franklin Street, Suite 1860

Boston, MA 02110

(617) 398-5600 phone
jeff@blockleviton.com
jake@blockleviton.com
nate@blockleviton.com

*Counsel to Lead Plaintiff and
Lead Counsel for the Class*

CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Court's Electronic Mail Notice List.

/s/ Jacob A. Walker
Jacob A. Walker